

## REMARKS

Claims 1-21, 23-25 and 27-34 are pending. Claims 11-21, 23-25, and 27-32 are withdrawn from consideration. Claim 1 is amended to change the transitional phrase from “consisting essentially of” to “consisting of”. Claims 5 and 6 have been amended in formal regards. No new matter has been entered. Entry of the amendment and favorable reconsideration are earnestly solicited.

### Claim Rejections – 35 U.S.C. §112, 2<sup>nd</sup> paragraph

On page 3 of the Office Action, claim 5 was rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which application regards as the invention. Applicant has amended claim 5 by deleting “any one of”. No new subject matter has been added. Withdrawal of the rejection and favorable reconsideration are respectfully requested.

### Claim Rejections – 35 U.S.C. §103

On page 3 of the Action, claims 1-6, and 8 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Cho (US 4,988,394). On pages 4-5 of the Action, claims 7, 8, 9, 10, 33 and 34, stand variously rejected under 35 USC 103 over Cho in view of one or more of Mohr, WO'586, Sanders, and/or Wyatt-Mair. Applicant respectfully requests reconsideration and withdrawal of these rejections.

Namely, in view of the present amendment, the extra steps of Cho are not covered by the claims. Hence these rejections are no longer tenable. Withdrawal of the rejections and issuance of this application are respectfully urged.

### Request for Rejoinder

Applicants respectfully request rejoinder of the withdrawn claims. Even though the withdrawn claims are directed to products, they are of the same scope as claim 1, and thus, under the spirit of the *In re Ochiai* guidelines, they should also be allowed together with the claims which are now in condition for allowance.

**CONCLUSION**

In view of the foregoing remarks, Applicant respectfully asserts that the rejections as set forth in the Office Action of May 8, 2009, have been addressed and overcome. Applicant further respectfully asserts that all claims are in condition for allowance and requests that a Notice of Allowance be issued. If issues may be resolved through Examiner's Amendment, or clarified in any manner, a call to the undersigned attorney at (202) 508-3450 is courteously solicited.

Applicants believe that no fee is due. However, the Commissioner is hereby authorized to charge deposit account 50-4254 for any deficiency of fees or credit .any overpayments.

Respectfully submitted,

August 10, 2009 (Monday)

/Susan E. Shaw McBee/  
Susan E. Shaw McBee  
Reg. No. 39,294  
Customer No. 84331

Baker Donelson Bearman Caldwell & Berkowitz  
555 11<sup>th</sup> Street NW  
Sixth Floor  
Washington D.C. 20004  
Tel. (202) 508-3400  
Fax (202) 220-2250